

or sheathed explosive units to be tested until requested to do so by MSHA.

(2) The applicant shall submit 70 pounds of 1¼-inch diameter explosives and additional cartridges in the amount of 3200 divided by the length in inches, except for cartridges 12, 20 and greater than 36 inches long. The applicant shall submit 70 pounds and additional cartridges in the amount of 3800 divided by the length in inches for cartridges 12, 20 and greater than 36 inches long.

(3) If approval is requested for cartridges in diameters less than 1¼ inches, the applicant shall submit a number of cartridges equal to 1800 divided by the length in inches, except for cartridges 12, 20 and greater than 36 inches long. The applicant shall submit cartridges in the amount of 2200 divided by the length in inches for cartridges 12, 20 and greater than 36 inches long.

(4) If approval is requested for cartridges in diameters larger than 1¼ inches, the applicant shall submit an additional 10 cartridges of each larger diameter.

(5) If approval is requested for cartridges in more than one length, the applicant shall submit an additional 10 cartridges for each additional length and diameter combination.

(6) Each applicant seeking approval of sheathed explosive units shall submit 140 units.

(b) *Condition and composition.* Explosives and sheathed explosive units will not be tested that—

(1) Contain chlorites, chlorates, or substances that will react over an extended time and cause degradation of the explosive or sheathed explosive unit;

(2) Are chemically unstable;

(3) Show leakage;

(4) Use aluminum clips to seal the cartridge;

(5) Contain any combination of perchlorate and aluminum;

(6) Contain more than 5 percent perchlorate; or

(7) Contain any perchlorate and less than 5 percent water.

(c) *Storage.* Explosives and sheathed explosive units shall be stored in a magazine for at least 30 days before gallery tests are conducted.

#### § 15.6 Issuance of approval.

(a) MSHA will issue an approval or a notice of the reasons for denying approval after completing the evaluation and testing provided for by this part.

(b) An applicant shall not advertise or otherwise represent an explosive or sheathed explosive unit as approved until MSHA has issued an approval.

#### § 15.7 Approval marking.

(a) An approved explosive or sheathed explosive unit shall be marketed only under the brand or trade name specified in the approval.

(b) The wrapper of each cartridge and each case of approved explosives shall be legibly labeled with the following: the brand or trade name, "MSHA Approved Explosive", the test detonator strength, and the minimum product firing temperature.

(c) The outer covering of each sheathed explosive unit and each case of approved sheathed explosive units shall be legibly labeled with the following: the brand or trade name, "MSHA Approved Sheathed Explosive Unit", the test detonator strength, and the minimum product firing temperature.

[FR 46761, Nov. 18, 1988; 54 FR 351, Jan. 5, 1989; 54 FR 27641, June 30, 1989; 60 FR 33723, June 29, 1995]

#### § 15.8 Quality assurance.

(a) Applicants granted an approval or an extension of approval under this part shall manufacture the explosive or sheathed explosive unit as approved.

(b) Applicants shall immediately report to the MSHA Approval and Certification Center, any knowledge of explosives or sheathed explosive units that have been distributed that do not meet the specifications of the approval.

[53 FR 46761, Nov. 18, 1988, as amended at 60 FR 33723, June 29, 1995]

#### § 15.9 Disclosure of information.

(a) All information concerning product specifications and performance submitted to MSHA by the applicant shall be considered proprietary information.

(b) MSHA will notify the applicants of requests for disclosure of information concerning its explosives or